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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington D.C. 20554

Federal Communications Commission
Office of the Secretary

In re Applications of) MM Docket No. 92-2
)
)
 DRY PRONG EDUCATIONAL) File No. BPED-900305MF
 BROADCASTING FOUNDATION)
)
)
 For Modification of)
 Noncommercial Station KVDP(FM),)
 Dry Prong, Louisiana)
)
 MISSIONARY ACTION PROJECTS) File No. BPED-900905MK
)
)
 For Construction Permit for a)
 New Noncommercial FM Station)
 on Channel 210,)
 Alexandria, Louisiana)

To: Administrative Law Judge
Edward J. Kuhlmann

**MASS MEDIA BUREAU'S COMMENTS IN SUPPORT OF
MOTION FOR SUMMARY DECISION**

1. On May 14, 1992, Missionary Action Projects (MAP), filed a motion for summary decision of the issue specified in the Hearing Designation Order (HDO), 7 FCC Rcd 496 (1992), to determine whether MAP is qualified to be a noncommercial educational FM licensee. The Mass Media Bureau offers the following comments in support of MAP's motion.

2. The HDO added this qualification issue against MAP, because MAP had failed to demonstrate that its proposed station would be used for an acceptable educational purpose. In adding the issue, the HDO rejected as insufficient to establish MAP's educational purpose such statements by MAP as "it will seek to develop relationships with schools, educational institutions and

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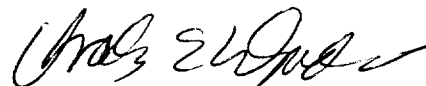
other traditionally educational institutions..." and that it "will utilize the facilities of the station to support the educational programs of the community" by broadcasting particular programming and by using the station for training students in the area of broadcasting. It also found insufficient a statement by MAP's president that MAP would use its station to "seek to help resolve community problems and issues."

3. In support of its instant motion for summary decision¹ MAP relies on the Commission's action in Palm Bay Public Radio, Inc., 6 FCC Rcd 1772 (1991) wherein the Commission stated that it "has routinely granted construction permits to applicants for educational radio stations whose stated purpose was to develop educational programming for their community of licensee." (6 FCC Rcd at 1772-73). In the instant case, MAP's president, William D. Franks, has stated that, in addition to meeting specified needs, MAP will ascertain the remaining educational needs of the community and attempt to meet them. (Exhibit F, to MAP's April 17, motion). In addition, MAP provides a list of sample programs it will air. These include the "Carl Rowen Report," "Focus on Black Women" and "Today in Black History." (Exhibit 1, to MAP's May 14, motion).

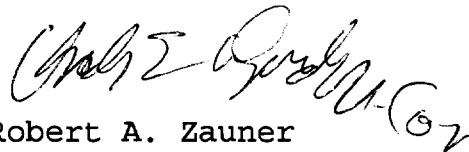
¹ An earlier motion for summary decision by MAP on this issue was denied by Memorandum Opinion and Order, FCC 92M-521, released May 7, 1992, because MAP had "not explained in detail how the station will be used to primarily serve the educational needs of the community, advance educational programs, and further a nonprofit, noncommercial service. See Way of the Cross of Utah, Inc., 58 Radio reg. (P&F) 455, 460-61 (1985)."

4. The Mass Media Bureau has reviewed MAP's motion and supports its request for summary decision. In Palm Bay, the Commission eliminated the need for educational applicants to provide detailed programming descriptions and accepted a general statement that the applicant would provide educational programming and programming responsive to the needs and interests of its community of license. In this regard, the Commission found sufficient a statement by the applicant that it would ascertain and develop educational programming for its community of license. Here, MAP's president had stated an almost identical goal for MAP. Consequently, it appears clear that there is no material fact for determination at hearing, and summary decision is warranted. See Section 1.251(a) of the Commission's Rules.

Respectfully submitted,
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May 21, 1992

CERTIFICATE OF SERVICE

Michelle C. Mebane, a secretary in the Hearing Branch, Mass Media Bureau, certifies that she has on this 21st day of May 1992, sent by regular United States mail; U.S. Government frank, copies of the foregoing **"Mass Media Bureau's Comments in Support of Motion for Summary Decision"** to:

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